

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHRISTOPHER LILTEICH,

Plaintiff,

v.

OPINION and ORDER

STATE OF WISCONSIN, *et al.*,

25-cv-47-amb

Defendants.

Plaintiff Christopher Lilteich filed this lawsuit on January 22, 2025, alleging that correctional staff at two different institutions used excessive force against him while he was having an epileptic seizure. Dkt. 1. He seeks limited discovery from defendant Lisa Schneider's employer to identify and properly serve this defendant before the 90-day time period for service expires. Dkt. 37. Defense counsel for the remaining defendants does not oppose the request. *Id.* at 4. For the reasons below, plaintiff's motion for limited discovery is GRANTED.

ANALYSIS

While parties are generally prohibited from conducting discovery before their Rule 26(f) conference, early discovery may be conducted upon the parties' stipulation or the court's authorization. Fed. R. Civ. Pro. 26(d)(1). Whether a court authorizes preconference discovery turns on the reasonableness of the request in light of the record and the circumstances. *Dallas Buyers Club, LLC v. Does 1-26*, No. 14-C-360, 2014 WL 1612251, at *1 (E.D. Wis. Apr. 22, 2014); *Ibarra v. City of Chicago*, 816 F. Supp. 2d 541, 554 (N.D. Ill. 2011).

The court finds plaintiff's proposed discovery request to be targeted toward information related to identifying and timely serving defendant Schneider and thus reasonable under the

circumstances. Plaintiff has not been able to serve the correct Lisa Schneider so far despite the diligent efforts described in his motion. Dkt. 37 at 2–4. He has exhausted other possible sources and seeks discovery now only to obtain the contact information he needs to properly identify and serve this defendant, namely her work and residential addresses and her phone number. Because plaintiff is seeking this targeted information from this defendant’s employer, Dkt. 37-1, the remaining defendants will not have the burden of responding to this discovery request.

ORDER

IT IS ORDERED that:

1. Plaintiff’s motion for leave to conduct early discovery, Dkt. 37, is GRANTED.
2. The clerk’s office is directed to issue the subpoena to Alliance Services, Inc. docketed at Dkt. 37-1.

Entered March 20, 2025.

BY THE COURT:

/s/

ANITA MARIE BOOR
Magistrate Judge